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OFFICE OF PETITIONS

In re Application of :
Nicholas F. Busch :
Application No. 10/772,171 : ON PETITION
Filed: February 4, 2004 :
Attorney Docket No. H0006870 :

This is a decision on the petition under 37 CFR 1.137(b), filed October 3, 2005, to revive the above-identified application.

The petition is GRANTED.

The above-identified application became abandoned for failure to submit the issue fee/publication fee in a timely manner in reply to the Notice of Allowance mailed December 20, 2004, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on March 22, 2005.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of issue fee/publication fee; (2) the petition fee of \$1,500; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Notice of Allowance of December 20, 2004 is accepted as having been unintentionally delay.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

This matter is being referred to Publishing Division to be processed into a patent.

Wan Laymon

Wan Laymon

Petitions Examiner
Office of Petitions

cc: KERMIT LOPEZ
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